

Exhibit A

**Declaration of Daniel McClafferty,
Deputy Patrol Agent in Charge, United
States Border Patrol (Sept. 5, 2018)**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

JANE DOE, *et al.*,

Plaintiffs,

v.

Kirstjen M. Nielsen, Secretary, Department of
Homeland Security, *et al.*

Defendants,

Case No. CV-15-00250-DCB

DECLARATION OF DANIEL MCCLAFFERTY

I, Daniel McClafferty, pursuant to 28 U.S.C. § 1746, and based upon my personal knowledge and information made known to me from official records reasonably relied upon by me in the course of my employment, hereby declare as follows relating to the above-captioned matter.

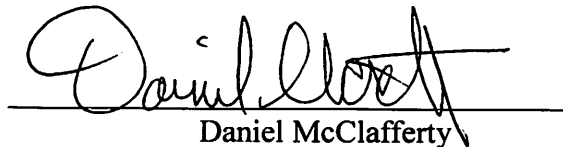
1. I am a Deputy Patrol Agent In Charge (DPAIC) with the United States Border Patrol (USBP), assigned to the Casa Grande Station, which is part of Tucson Sector Border Patrol. I have been an agent with the USBP since February 6th 2000. As a DPAIC, my duties include managing overall field operations, processing, personnel issues and I serve as a third line supervisor. I have four Watch Commanders that manage the four shifts at the station. I have been in this role since January of 2012. Prior to this position, I was a Field Operations supervisor, where I served as a second line supervisor managing a shift at the Tucson Station. In June and July of 2014, I served as the Acting Patrol Agent in Charge (Incident Commander) of the Nogales Processing Center when Tucson Sector was receiving unaccompanied juveniles from the Rio Grande Border Patrol Sector. I also

was assigned to the Border Patrol Search Trauma and Rescue Team (BORSTAR) as a Border Patrol Agent, Supervisory Border Patrol Agent and a Special Operations Supervisor from 2002 through 2009.

2. I was asked to review some pictures, identified as Part I, Exhibit A1, with each picture individually stamped VCAG000139 through VCAG000142. I recognize these pictures as video stills from the holding rooms at Casa Grande Station.
3. At the Casa Grande Station, each cell has a designation for what type of individuals it holds. The designation of a cell can change depending on the individuals we have in custody at any given time, except that the female cell is never used to hold men. Individuals are generally grouped by type of criminal case, processed or unprocessed, gender, age, or final destination.
4. If the individuals are processed, we try to separate them from the unprocessed subjects. This allows the processed individuals to rest in a much quieter setting because agents are not going into the cell and calling out unprocessed individuals. We also try to keep all the subjects with the same final destination in the same cell, as they leave at different times due to transportation schedules, court times, and the times other agencies will accept them at their facilities. If we did not take final destination into account, we would unnecessarily wake individuals up.
5. The Casa Grande Station area of responsibility is a very dynamic field environment, where we never know when or what type of individuals/case we're going to encounter. If individuals were spread throughout all the cells, without regard for the factors listed above, agents would be constantly shuffling individuals around to accommodate new arrivals.

6. The video stills from VCAG000139 (March 8, 2018 at approximately 6:04 am), VCAG000140 (March 8, 2018 at approximately 6:02 am), VCAG000141 and VCAG000142 (March 9, 2018 at approximately 5:04 am), show that the individuals received sleeping mats and laid the sleeping mats on the floor and benches. It is the practice at the Casa Grande Station to provide these items to all individuals upon arrival at the detention/processing center.
7. In looking at the video stills, I note that the camera angle in cell 10 (marked in the bottom, left corner with "cell 0") shows a large portion of the room, but not the whole room. Cell 10 has a capacity of 21 individuals with mats. This was physically measured and calculated to see how many mats would fit in the room while still allowing some space to walk and maneuver.
8. I reviewed the relevant e3DM data for March 8 and 9, 2018. Based on my review of the e3DM data, the number of individuals in cell 10 (marked as "cell 0") did not exceed 21. Additionally, at the times that these video stills were taken, all subjects were waiting to be transferred to the ICE Detention Facility located in Eloy, AZ.

I declare under penalty of perjury that the foregoing is true and correct to the best of my information, knowledge, and belief. Executed on this 5th day of September 2018, in Casa Grande, Arizona.


Daniel McClafferty